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Voluntary Sterilization: The Last Sixty Years

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1. TIME FOR RE-ASSESSMENT

N A SHORT introductory article published in the October 1961 number of this Review, **I** I drew attention to how ideas on the possibilities of voluntary sterilization have broadened. During the early years of the century the measure was mainly discussed in terms of its usefulness in checking what seemed to be an increase in the number of mental defectives. But the horizon broadened. Possibilities were recognized of sterilization being welcomed by wider circles, for example by people who had recovered from mental disorders, by those afflicted with physical infirmities deemed to be hereditary, and by mentally and physically normal people (so-called carriers) who were afraid of transmitting to their children hereditary infirmities which afflicted their relatives but not themselves.

Since the end of the second world war, however, the qualitative criterion of morbid inheritance has been superseded. The quantitative possibilities of sterilization have been explored for controlling fertility in under-developed countries; and people have been voluntarily sterilized in numbers which were unheard of during the inter-war years. A new assessment of the potential benefits of sterilization in western countries is due.

I have been asked to summarize the developments in Great Britain during the last sixty years. Briefly, these have been as follows: before 1914 the possible benefits of sterilization were recognized by a few far-seeing writers who also advocated birth control. Among these Havelock Ellis was prominent. But public opinion was unreceptive, uninformed and hostile. On moral grounds the reaction was not unlike that now evoked by artificial insemination; and on administrative grounds it was argued that the effects of a workable scheme on the incidence of mental defect would be imperceptible.

The issue was taken up in 1929 by the Eugenics Society which advanced proposals which had not before been seriously formulated. These proposals had a mixed reception, but they attracted attention and provoked discussion. In three years (1929-1932) public opinion was swung to the extent that a concerted petition for an official inquiry was submitted to the then Minister of Health by three weighty organizations. This petition was sympathetically received and in June 1932 a Departmental Committee was appointed. This Committee produced in 1934 a report unanimously recommending that voluntary sterilization be legalized along the lines earlier advocated by the Eugenics Society. Suddenly the Society was heavily re-inforced. A Joint Committee was formed, and much effective propaganda was done. Up till 1936 the prospects of legalization seemed good. But adverse factors set in. Events in Germany generated a distaste for sterilization; and political opposition from the left was re-inforced by the counter-propaganda with which certain religious groups had responded to the departmental committee's proposals. The movement for legalization lost

impetus as the threat of war loomed larger. The war in 1939 put an end to all articulate demand and, since 1945, there has been no revival of the demand.

But since that year the issue has been raised in a new form and in a big way outside Europe.

Hence the story falls into two parts. The first covers the period 1929-1934 when the Society was acting more or less alone; the second, covering the period 1934–1939, followed the publication of the Departmental Committee's report.

2. ACTIVITIES OF THE EUGENICS SOCIETY **BETWEEN 1929 AND 1934***

Under the presidency of Major Leonard Darwin (son of the illustrious Charles) the Society had, in the nineteen-twenties, concerned itself with the possibilities of voluntary sterilization.

A Draft Bill to Legalize Sterilization

In 1929 a draft Bill was drawn up which, as seen in to-day's retrospect, had an oblique preamble and peculiar objectives. The preamble was worded as follows: "An Act to prevent the practice of sterilization when morally or socially objectionable, thus safe-guarding its use for the better preservation of the races." The draft Bill was divided into three parts. The first was con-

* Sometime in the future it will be accepted as a selfevident proposition that death control must be balanced by birth control (or, as some prefer to call it, control of conception). The proposition will appear to be so selfevident that it will seem inconceivable that anyone could ever have disputed it. Births will soon be controlled by means of which to-day we know nothing.

An interest will then arise in the early efforts to control the balance between births and deaths—in developments of the idea that such control is necessary and of the methods of control earlier used. Among the latter is sterilization the history of which may, a hundred years from now, become the theme of research theses and

monographs.

Hence the events described in this section may have some historical interest. The Society has played a notable part in the story which may be worth putting on record. I write some thirty years after the events I describe. Most of the people whose names appear in the story are now dead. But fortunately minute-books, annual reports and many of the relevant documents survived the war. These were tied up in large parcels which since 1939 have reposed in a basement of the Society's headquarters. I have selected from and rearranged this material in chronological order and have prepared an annotated copy of this article giving references to the relevant surviving documents.

cerned with mental defect† and insanity; the second with the prohibition of marriage of certified mental defectives and insane persons (unless these had been sterilized or, on other grounds, were known to be infertile); the third with "pauperism and crime."

During 1929 it occurred to certain members of the Eugenics Society that an effective reply to critics who reproached us with being too much concerned with theory and too little with practice would be for the Society to take an initiative in starting a hospital, or endowing some beds in a hospital, wherein priority would be given to candidates for voluntary sterilization.

This proposal was raised before the Council. Dr. R. A. Gibbons, long an advocate of voluntary sterilization, quoting an opinion of Sir Travers Humphreys, contended that the legal position as to this measure was so uncertain that the project of endowing a bed would receive little support. The argument carried weight with the Council which favoured, as a preliminary, the establishment of the legality of voluntary sterilization. Sir Bernard Mallet, who had succeeded Major Darwin as the Society's president, supported this view. I well remember a meeting in December 1929, convened by Sir Bernard in the Society's rooms then located at 20 Grosvenor Gardens. At this meeting Sir Frederick Willis, than whom few people were better qualified to express an opinion on the issue of legality, was present by invitation. Sir Frederick fully confirmed Dr. Gibbons's view.

Early in 1930, a recommendation that the Eugenics Society should take an initiative in getting voluntary sterilization legalized was accordingly submitted to the Society's Council.

Several of the persons mentioned below have since received titles. Their past and present designations will be given when they are first mentioned in the text. Thereafter they will be named as they were known at the time.

[†] At fairly regular intervals the terminology of psychiatry is purged, much as are the political leaders of certain countries. Current terms are outlawed and expressions, sometimes unwieldly and circuitous but held to be free from pejorative innuendo, are substituted. In this article I will use the terminology current during the period under discussion.

I For an account of the inner history of how this subject came to be raised and adopted by the Society, see THE EUGENICS REVIEW, January 1930. 22, 4, 239-247. The Sterilization Proposals: A History of their Develop-

This recommendation was conveyed in a memorandum signed by Dr. R. A. (now Sir Ronald) Fisher, Professor J. S. (now Sir Julian) Huxley, Dr. J. A. Ryle, Mr. E. J. Lidbetter and myself. The recommendation was unanimously approved by the Council which then appointed the Society's COMMITTEE FOR LEGALISING EUGENIC STERILISATION. This at once embarked on an active career. It was largely because of my participation in these preliminary activities that I was appointed in 1931 as the Society's General Secretary.

The possibility of getting the legal issue settled by a test case was early explored by the Committee. The matter was put to a solicitor who submitted that the cost to the *Society* would be substantial and that the outcome would be uncertain. The judgement would be as noncommittal as possible. After a conference with the solicitor, the project was abandoned.

The Committee, of which Sir Bernard Mallet was chairman, expanded as its work progressed and eventually included nearly thirty people.*

Eugenics Society's Pamphlets

Literature setting forth the Society's case was prepared and distributed. We produced several pamphlets with covers of diverse colours. Our basic statement was set out in what we called our "buff pamphlet" entitled Eugenic Sterilization. A substantial demand quickly arose for this publication of which, during 1930, some 10,000 copies were sent out, mostly to applicants. Indeed, the demand was so great that, in 1931, a second edition was produced the expenses of which were met by a donation from Lord Riddell. This second edition contained the text of a comprehensive Bill which dealt with the voluntary sterilization of three groups of people,

namely mental defectives, mental convalescents (a term proposed by Dr. R. Langdon-Down to denote persons who had recovered from any form of mental disorder), and normal people who wished to "avoid the risk of transmission to children or to remoter issue of a transmissible defect seriously impairing physical or mental health or efficiency."

A second pamphlet produced by the Committee attracted attention. It was entitled The Law as to Sterilization and was written at the Committee's request by Mr. Cecil Binney who, at this time, was much in demand as a speaker on this topic. His thesis was that the sterilization (albeit at his request) of a person deemed to be mentally defective was unquestionably illegal; but the position of other applicants turned essentially on what could be held to be a misdemeanour. Sir William Russell had remarked: "The word misdemeanour in its usual acceptation is applied to all those offences for which the law has not provided a particular name"; and "it seems to be an established rule that whatever openly outrages decency, and is injurious to public morals, is a misdemeanour at common law." Later Sir James Fitzjames Stephen, commenting on this passage, had remarked: "It is inevitable that when men claim to exercise authority over their fellows, in broad general terms, and on grounds which have never been clearly or systematically expressed, there should be an extensive debateable land in which it is hard to say what is legal and what is not." The pamphlet contained a full discussion of the possible relevance of the Offences against the Person Act of 1861 which this year (1962) is just over a hundred years old. Indeed, it reached the statute book many years before anyone had thought of surgical sterilization and some thirty-six years before anyone was actually sterilized.

The most disturbing criticism of the Committee's policy was privately delivered by a keen supporter of the principle of voluntary sterilization. Dr Havelock Ellis wrote in December 1930 that, by raising doubts as to the legality of voluntary sterilization, the Committee were defeating their own ends. The nature of the operation, especially of vasectomy, was such that it was absurd to invoke the relevance of the Offences against the Person Act. The Commit-

^{*} In May 1932 the committee consisted of the following persons: Sir Bernard Mallet (Chairman), Mrs. Mary Adams, Dr. K. B. Aikman, The Lady Askwith, Mr. Cecil Binney, Dr. C. P. Blacker (Hon. Secretary), Dr. C. J. Bond, Professor A. M. (now Sir Alexander) Carr-Saunders, Lady Chambers, Major A. G. Church, Miss E. Corry, Mr. D. Ward Cutler, Mr. W. L. (now Sir Leslie) Farrer, Dr. R. A. (now Sir Ronald) Fisher, Dr. R. A. Gibbons, Hon. Mrs. U. Grant Duff, Mrs. C. B. S. Hodson, Sir Thomas (later Lord) Horder, Mrs. Eva Hubback, Mrs. R. Hussey, Professor J. S. (now Sir Julian) Huxley, Dr. R. Langdon-Down, Wing-Commander A. W. H. (now Sir Archibald) James, Mr. E. J. Lidbetter, Miss Hilda Pocock and Dr. J. A. Ryle.

tee should ignore such archaic enactments and should encourage surgeons to continue to sterilize bona fide candidates who were compos mentis; it should offer to support such surgeons financially if, after becoming members of the Eugenics Society, they were involved in legal difficulties. If, declared Dr. Ellis, it was a maim to be vasectomised, it might be held to be a maim to have one's hair cut, as happened to Samson; indeed the Society would be doing less harm if it sponsored a Committee to legalize voluntary decapillation.

Subsequent events, such as the attitude taken up by medical defence organizations and the experiences of Sweden before and after passing an enabling act, have not confirmed Dr. Havelock Ellis's pungent criticisms (reinforced later by Dr. Marie Stopes) which received careful consideration by the *Society's* Committee and later by the Brock Committee.

In 1931 the committee produced its "blue pamphlet" Better Unborn. This quoted about forty authenticated cases of irresponsible parenthood by individuals of "borderline" mentality; and it brought out the deplorable and socially burdensome conditions of many of their children. The pamphlet also contained the draft text of a restricted Bill "to enable mental defectives to undergo sterilizing operations or sterilizing treatment upon their own application or that of their spouses or parents or guardians." (Major A. G. Church, M.P., had expressed willingness to introduce under the ten minutes rule such a restricted Bill, covering only the position in respect of mental defectives.) The pamphlet also contained expressions of approval of the draft Bill by some distinguished contemporaries among whom were Sir Charles Sherrington, Professor F. H. A Marshall, Professor William McDougall and Mr. H. G. Wells.

The "Social Problem Group"

On re-reading this and other literature of the period, I have been struck by how different from now was the climate of opinion. The general theme of those days was "the sterilization of the unfit." The main candidates were high-grade mental defectives and borderline cases. The country had been shocked by the appearance of a Report (of the Wood Committee) in 1930 which,

after a well-planned ascertainment conducted by Dr. E. O. Lewis, had assessed the number of mental defectives in England and Wales at about 300,000, or 8.56 per thousand of the population of the time. This was approximately twice the rate (4.56 per thousand) given by a Commission (the Royal Commission for the Care and Control of the Feeble-minded) which had reported some twenty years earlier. The Wood Committee drew attention to the high fertility of the "Social Problem Group" (a term invented by that Committee) and, after a full discussion of how far the ascertained increase was apparent rather than real, concluded that it was "hard to believe that there had not been some increase of mental deficiency during this period" (the last twenty years).*

The period (1929 onwards) was furthermore over-shadowed by the world depression when "prevention rather than cure" was a much-sounded theme, and when people were looking for ways of reducing public expenditure. The attitude of the *Society* was also influenced by the findings of Mr. E. J. Lidbetter's monumental genealogical survey (supported financially by the *Society*) the chief findings of which were published in 1933 though they had been made fairly widely known before.† This survey, like the Booth Survey (*Life and Labour of the People in London*. 1891–1903, Macmillan. 18 volumes) has not received the attention it deserves. It awaits re-discovery by a later generation.

Sterilization was widely opposed both on moral and administrative grounds. The opposition on moral grounds was generally similar to the opposition to birth control. The hostility on administrative grounds was largely based on the manner in which sterilization had sometimes been advocated as a money-saving alternative to segregation. (The mis-statement of the issue is reminiscent of the way in which, to-day, the world's population problem is sometimes described as soluble either by restricting the rate of population growth or by increasing world resources.) Those responsible for administering the services for the mentally subnormal were nervous of the clamour for economy. Steriliza-

^{*} Wood Report, Part III. p. 38.

[†] Heredity and the Social Problem Group. Edward

tion, they reiterated, is no alternative to segregation. If there is such a thing as a professional standpoint, that of the medical staffs of mental hospitals was then opposed. Opposition was more or less orthodox.

The Committee put forward the argument that sterilization should be regarded not as an alternative but an auxiliary to segregation. The two should be complementary. Certain passages in the Wood Report about how the institution or colony for mental defectives should be treated as a flowing stream rather than as a stagnant pool were here relevant and were used by the Committee.

These pamphlets and other literature contained particulars of the Eugenics Society; new members were in this way enrolled.

The Committee's proposals, later endorsed by the Brock Committee and now commonplace, then had a novel emphasis; and some leading doctors who had previously been opposed became supporters of the Committee. Prominent among these was Dr. R. Langdon-Down. Support was also given by certain organizations among which were the National Association for the Feeble-Minded, the National Union of Societies for Equal Citizenship, the Women's Co-operative Guilds Congress and the Conservative Women's Reform Association. But at this time the Board of Control, though having stated in an Annual Report that "mentally deficient patients create centres of degeneracy and disease which welfare work can never reach," was tacitly opposed. It held that the prohibition of marriage of mental defectives was a more practicable innovation.

Parliament and Sterilization

On July 21, 1931, Major A. G. Church, then Labour Member for Central Wandsworth, introduced under the ten minutes rule the Bill which had been published in our blue pamphlet. The Bill was vigorously opposed by another Labour member who said that it was permeated by antiworking class sentiments. The vote was 167 to 89 against the Bill—a rather better result than Major Church expected. But the first step was taken. The subject was raised in Parliament.

An argument of which the Committee made use—an argument later stressed by the Brock

Committee—was that people who could afford to pay surgeons' fees could get themselves sterilized. (Indeed, one doctor had written a book suggesting that vasectomy—the operation by which males are sterilized—could produce rejuvenating effects.) But the policies of hospitals were largely shaped by governors and governing committees which might include religious objectors and who might also hold that the waiting lists of surgical departments were filled by people whose needs were urgent. Hence the rich could pay their way while the poor could not. In this connection the Society made use of the following letter, which appeared in the Week-end Review of May 14th, 1932, and which was printed as a single-page leaflet:

Sir,—I was born with a deformity of my hands and feet, by which I have been much handicapped during my life. I was assured by a doctor on marrying that this deformity would not be transmitted to my children. I have had six children of whom the last, born a year ago, has precisely the same affliction as myself. Having little confidence in birth control methods, and not wishing any more children to be born handicapped like myself, I wrote to the Eugenics Society, asking if it could somehow get me sterilized. I could not afford to pay any fee to a surgeon and could only just raise money enough to pay my railway fare to any place where this operation could be done. The Secretary of the Eugenics Society did all he could to get me taken into a General Hospital, where I could be operated upon, but no hospital would take me in because of the small legal risk which is thought to be involved when a sterilizing operation is performed. Eventually the Eugenics Society raised a small fund for me, and I was successfully operated upon as a paying patient in a hospital. I should say that the operation was painless and had not the slightest effect on my general health or married life; it has relieved both my wife and myself of a terrible anxiety. I would be grateful if you would publish this letter, because I think your readers ought to know that the Eugenics Society in trying to get voluntary sterilization legalized is only trying to make available for the poor what is now the privilege of the rich. Yours faithfully,

"HEREDITARY DEFORMITY."

The Labour party's attitude was ambivalent. Some shared the standpoint of Major Church's Parliamentary opponent that the Committee's objectives were "anti-working class." Others supported the argument of the last paragraph of the above-quoted letter. As time passed, the second view gained ground. By 1937, there had

been formed an active NATIONAL WORKERS' COMMITTEE FOR THE LEGALIZING OF VOLUNTARY STERILIZATION. The president was Mr. Ernest Thurtle, M.P., the chairman Mrs. Harold Laski and the honorary secretary Dr. Caroline Maule.

But hopes were raised by Major Church's initiative. During the next year (1932) Wing-Commander A. W. H. James, M.P., an active and fearless supporter of the Society's main activities, formed an all-party Parliamentary STERILIZATION COMMITTEE consisting of the following ten members: The Duchess of Atholl, Mr. Vyvyan Adams, Mr. C. T. Culverwell, Mr. Holford Knight, Mr. G. Lambert, Mr. W. Mabane, Mr. G. Mander, Sir Basil Peto, Sir Nairne Sanderson and himself as Secretary. In the preliminary stage of the formation of this committee, the Society's comprehensive draft Bill, covering the three categories of mental defectives, mental convalescents and mentally normal "carriers," was considered at a joint meeting of the medical and scientific committees of the House of Commons. The unanimous view emerged that there was not the slightest prospect of a Bill of such wide scope being passed; a better hearing, it was said, would be given to a Bill limited to mental defectives. Hence the Parliamentary Committee adopted the restricted Bill which, in July 1931, Major Church had introduced under the ten minutes rule.

The Parliamentary Committee produced a sixteen-page leaflet entitled Memorandum upon a Permissive Bill to legalise the Voluntary Sterilization of certain Mental Defectives; and it included the text of the Sterilization Act of Alberta. To this Canadian Act assent had been given on March 21st 1928; and under its provisions, by November 1932 when the Committee's memorandum was published, over a hundred persons had been sterilized. The Parliamentary Committee took an optimistic view of their prospects. They concluded their memorandum with the following words:

It is submitted that since sterilization is already a recognized practice upon grounds of physical health, it is unwarranted that it should remain illegal upon grounds of mental health. The Parliamentary Committee have reason to believe that an act legalizing voluntary and permissive sterilization would be made considerable use of by the public. The Parliamentary Committee have been impressed and even astonished, at the widespread support that has been found to exist in the House of Commons, and in the country, in favour of legalizing sterilization.

The following was the memorandum's summary and conclusions:

(1) The measures proposed are voluntary and permissive and are not compulsory. (The meaning of the term "voluntary" as applied to a defective is explained in the Memorandum on the Bill which appears on p. 12.)

(2) Sterilization is proposed for mental defectives, for whom it is now illegal, as an adjunct, and not as an alternative to, segregation.

(3) A large proportion of mental defectives (over 50 per cent according to most authorities) owe their condition to hereditary taints in their ancestry.

(4) Probably not more than 10-15 per cent of all defectives have parents one or both of whom are defective. This will be the measure of the possible reduction which could be effected in one generation by preventing all defectives from breeding.

(5) But nevertheless all authorities agree that no defective, whatever the causation of his defectiveness, should become a parent. It is terrible to think of a normal, sensitive child being brought

up by a defective parent.

(6) It has been authoritatively recommended that institutional accommodation be provided for one-third of the total estimated number of defectives in the country and that the remaining twothirds live under guardianship or supervision in the general community. Sterilization is applicable to a proportion of these cases.

(7) The operation of sterilization involves negligible risks to life and leaves the physical,

mental and sexual powers unchanged.

(8) Sterilization has been in effective operation in other countries and in one part of the British

(9) Sterilization, properly safeguarded against abuses, can therefore be employed as an economical and humane extension of the principle of preventive medicine.

But by the time the Parliamentary Committee's memorandum was published (November 1932), the Brock Committee (see below) had been appointed (June 1932) and was beginning its deliberations. The Parliamentary Committee decided not to press its case until after the Brock Committee's report had been published.

A Conference on Sterilization

Another event which formed a landmark during these early years was a single-day conference convened on May 23rd 1932 by the Society's Sterilization Committee at Caxton Hall, Westminster. During the morning and afternoon sessions, the different aspects of the Society's proposals were explained and discussed. The chairmen and speakers included Sir Allan Powell, Sir Thomas Horder, Dr. R. Langdon-Down, Mr. Cecil Binney, Professor R. Ruggles-Gates, Professor A. M. Carr-Saunders and others. The evening session took the form of a public meeting at which Lady Askwith took the chair and Lord Riddell was the first speaker. In her introductory speech, Lady Askwith stressed the humanitarian aspects of the Society's proposals. These, if correctly understood, would appeal to all lovers of children and especially to women. "It is noteworthy," she said, "that when Major Church introduced his sterilization bill on July 21st 1931, not a single woman Member of Parliament had voted against it." The Committee produced as its "grey pamphlet" (36 pages) a report of this conference.

Many meetings, some of them convened in the private houses of members of the Committee, were held during the period 1929–1932; and Mrs. Cora Hodson, Miss Hilda Pocock and I defended the *Society's* position in numerous debates.

3. THE BROCK COMMITTEE (1934)

Doubtless as a result of the activities of Wing-Commander James's group in the House of Commons and of the Eugenics Society's activities outside, a trio of important organizations—the County Councils Association, the Association of Municipal Corporations and the Mental Hospitals Association—decided to take a joint initiative. They combined to submit, in February 1932, to the then Minister of Health, Sir Hilton Young (later Lord Kennett), a request that the problems and possibilities of sterilization be investigated by an officially constituted body.

The minister complied. After four months' deliberation he appointed, on June 9th 1932, a strong Departmental Committee under the chairmanship of Mr. L. G. (later Sir Lawrence) Brock. The terms of reference of this committee were:

To examine and report on the information already available regarding the hereditary transmission and other causes of mental disorder and deficiency; to consider the value of sterilization as a preventive measure having regard to its physical, psychological, and social effects and to the experience of legislation in other countries permitting it; and to suggest what further inquiries might usefully be undertaken in this connection.

Apart from its able chairman and Mr. Frank Chanter, its secretary, the Committee consisted of seven carefully selected persons.*

In the course of the second half of 1932 and of 1933 the Committee held thirty-six meetings and took evidence from sixty witnesses thus amassing a large volume of evidence. Among these witnesses was the Eugenics Society which was represented by Dr. C. J. Bond, Dr. A. J. (now Sir Aubrey) Lewis, Dr. R. Langdon-Down, Dr. E. Mapother and myself. The Society had been asked by the Committee to give evidence upon the investigations carried out abroad upon the inheritance of mental deficiency. The memorandum which embodies this evidence was printed as an appendix to my book, Voluntary Sterilization.† The Departmental Committee, moreover, promoted a large-scale and original investigation into the children of 3,733 mental defectives which was the most comprehensive of its kind ever undertaken. Information was sought from all the mental deficiency authorities in the country. Their responses were better than had been expected and the report on this inquiry, in the preparation of which Dr. R. A. Fisher played an important part, was published on pp. 60-74 of the Committee's main document. This inquiry, which provided an important milestone, has scarcely received the attention it deserves.

In January 1934—just over two years after the Committee had been appointed—the Brock Report‡ (as it quickly came to be called) was published. Briefly, it condemned compulsory sterilization but recommended that voluntary sterilization should be legalized for the three categories of people who had been included in the Society's comprehensive Bill as set out in its "buff pamphlet": namely mental defectives, persons who have suffered from mental disorder, and people believed to be carriers of (or likely

^{*} They were: Wilfred Trotter, R. A. Fisher, A. F. Tredgold, Miss Ruth Darwin, E. W. Adams, R. H. Crowley and E. O. Lewis,

^{† 1934.} Humphrey Milford.

[‡] Report of the Departmental Committee on Sterilisation. 1934. Cmd. 4485.

to transmit) grave physical or mental disabilities. These recommendations differed in only two respects from those earlier put forward by the Society. The Society had advocated that sterilization should be made possible for mental defectives and mental convalescents who owed their abnormalities to morbid heredity; the Brock Committee more radically recommended that it be made available for all mental defectives and convalescents irrespective of heredity. Also the proposed safeguards differed in that the Brock Committee recommended that the subject's application, backed by two medical certificates, be approved by the Minister of Health. The Society had not thought it necessary to call for the authorization of the Minister of Health. It was a source of satisfaction to the Society that the Brock Committee included in the first paragraph of their first chapter the following acknowledgment:

To the Eugenics Society we are indebted for a summary of the chief researches which have been made in foreign countries. Their memorandum, which was clear and complete in its arrangement and detached and critical in tone, has been of great assistance to us.

I here mention parenthetically another feature of the Brock Report of which the Society took advantage. The Report's Appendix II (pp. 80-91) is a memorandum submitted by the National Society for the Prevention of Cruelty to Children (N.S.P.C.C.). The following particulars are included of a Yorkshire family:

HULL AND EAST RIDING DISTRICT. Case No. 794M.

Father born 1880; mother born 1883. The paternal grandfather was feeble-minded; two great-uncles were certified insane and a maternal uncle was epileptic. This woman has given birth to the following:

- (1) Daughter; died of convulsions in infancy
- These two Son: died of convulsions in in- illegitimate (2) fancy
- (3) Daughter; certified M.D.* In an Institution.
- (4) Son; certified as imbecile. Died at age of 11.
- (5) Son; certified as M.D. In an Institution.
- Daughter; certified as imbecile. (6) Daughter; died at 11 months.
- Son; certified as imbecile.
- Daughter; in service.
- (10) Son; died in infancy.
- * M.D. is an abbreviation for "mental defective".

- (11) Daughter; at school, but of very low men-
- (12) Son; at school and of average intelligence.
- (13) Daughter; aged 9, has never been to school; M.D.; now in Institution.
- (14) Daughter; now aged 8; never been to school; in M.D. Institution.
- (15) Son; aged 5, recently admitted to M.D. Institution.
- (16) Daughter; aged 4.
- (17) Daughter; aged 1.

It would be impossible (says the N.S.P.C.C. Report) to exaggerate the tragic possibilities which are still likely in this family's history. The children now in Institutions are likely to go back to their place of settlement on reaching the age of sixteen years. Doubtless, all will have benefited from their stay and training in the Institutions, but it is extremely doubtful whether they will make satisfactory citizens and more than likely that they will themselves produce deficient offspring.

Miss Hilda Pocock, then a member of the Society's staff, took a remarkable initiative. She obtained particulars of this family, travelled to their home in Yorkshire, and persuaded all the members who were locally accessible (at home and in institutions) to consent to being filmed. The family appears in a film later produced by the Society. (We did what we could to help this family, co-operating for the purpose with the N.S.P.C.C.). During the ensuing years, we paid quite a large annual premium to insure ourselves against the risks of actions for libel. But we received nothing but goodwill from the family. Sir Lawrence Brock was naturally interested in this film. He agreed that the main impression made by the family as a whole, and by the old father (born in 1880) who, in response to a question, deplored the size and burdensomeness of his family, was one of pathos.

4. THE JOINT COMMITTEE ON VOLUNTARY STERILIZATION (1934-39)

The Brock Report had been expectantly awaited by many organizations which had postponed decision until its publication. It was widely commented on in the press which, as a whole, received it with sympathy. It quickly brought about a veering and crystallization of informed opinion. It facilitated the taking of decisions by those public and medical authorities which, puzzled by the differences between experts, had earlier been hesitant and non-committal. Here was the most authoritative communication on sterilization that had appeared up till that time in any country.

Among the earlier-hesitant organizations had been the Central Association for Mental Welfare, led by Miss Evelyn Fox—a most dynamic lady—and by Dr. A. F. Tredgold, one of the leading authorities on mental deficiency in this country. In consultation with the Eugenics Society the Central Association took the initiative in convening a JOINT COMMITTEE ON VOLUN-TARY STERILIZATION (J.C.V.S.) containing representatives of itself, of our Society, of the Mental Hospitals Association and of the National Council for Mental Hygiene. The Royal College of Physicians, which, in October 1934, had endorsed the recommendations of the Brock Committee, appointed a representative to serve on the Joint Committee without power to commit the parent organization. Their representative was Lord Dawson, the president of the College. Lord Dawson had long been an eloquent and quite fearless supporter of both voluntary sterilization and birth control. His attitude was noteworthily courageous in view of his connections with the royal household. The Royal Medico-Psychological Association appointed a representative. On June 27th and July 19th 1934, moreover, the County Councils Association and the Association of Municipal Corporations respectively passed resolutions approving the recommendations of the Brock Committee; and later (November 21st 1934) these two powerful associations vigorously supported the Joint Committee whose speakers (Professor J. S. Huxley, Wing-Commander James and myself) had opened a discussion before a large audience which assembled for the Public Health Congress at the Royal Agricultural Hall, Islington. (It will be remembered that these two bodies, together with the Mental Hospitals Association, were the ones which, in February 1932, had petitioned the Minister of Health to appoint the Brock Committee.)

Suddenly the Eugenics Society felt itself widely supported and fortified. The Society's Council dissolved its own Committee for Legalising Voluntary Sterilisation which became merged in the Joint Committee.

It would be tedious to describe in detail the activities of the Joint Committee during the six

years (1934–1939) which followed its appointment. The Committee was fortunate in securing Lord Horder as its chairman and Sir Francis Acland, M.P. as its vice-chairman. It will be seen that each of the four constituent organizations above-mentioned appointed three members; and there were seven additional members which included the indefatigable Wing-Commander James. The Committee's first secretary, Mrs. M. D. Silcock, who deftly guided the Committee through its formative stages, was in February 1935 replaced by Mr. J. Verney Quilliam. The latter had earlier had wide experience of political work.

One of the Joint Committee's first activities was to appoint a drafting committee under the able chairmanship of Dr. A. F. Tredgold. This committee, after much discussion and consultation, produced a draft of a Voluntary Sterilization Bill which embodied exactly and in detail the recommendations of the Brock Committee.

Mr. Quilliam spent much time in travelling the country and addressing meetings, so that it became necessary to appoint an assistant secretary, Miss L. R. Gait, who dealt, in his absence, with the massive office correspondence. The Eugenics Society was the main financial supporter of the Joint Committee. It placed at the Joint Committee's disposal the rooms on the second floor of its house (those now occupied by the International Planned Parenthood Federation), and all the Joint Committee's meetings were held in our library. The Society contributed 80 per cent of the Joint Committee's total income during the six years of its existence (£3,140 out of £3,902).

A Handbook for Speakers was produced which Mr. Quilliam and others found useful in persuading numerous organizations to pass supporting resolutions. The following is a list of the Joint Committee's members as published in 1937. It is followed by another list of the organizations which had expressed support by the same year:

JOINT COMMITTEE ON VOLUNTARY STERILIZATION (1937)

LIST OF MEMBERS

Chairman:

The Lord Horder, K.C.V.O., M.D., F.R.C.P.

THE EUGENICS REVIEW

Vice-Chairman: Rt. Hon. Sir Francis D. Acland, Bt., M.P.

Central Association for Mental Welfare Miss Evelyn Fox, C.B.E. A. F. Tredgold, Esq., M.D., F.R.C.P., F.R.S. (Edin.) Mrs. J. Cooke Hurle

Eugenics Society C. P. Blacker, Esq., M.C., M.A., M.D., F.R.C.P. Mrs. Rosamond Hussey R. Langdon-Down, Esq., M.B.

Mental Hospitals Association Alderman W. Locke Alderman J. C. Grime, M.B.E. L. T. Feldon, Esq.

National Council for Mental Hygiene R. D. Gillespie, Esq., M.D., F.R.C.P. Miss Doris Odlum, M.R.C.S., L.R.C.P. E. W. Neill Hobhouse, Esq.,

M.D., M.R.C.S., F.R.C.P.

Additional Members J. D. Magor Cardell, Esq., M.B.,

B.S., F.R.C.S., L.R.C.P.

Wing-Commander A. W. H. James, M.P. W. L. Platts, Esq.

Viscount Dawson of Penn, G.C.V.O.,

K.C.B., K.C.M.G., M.D., P.R.C.P.

Major Richard Rigg, O.B.E., J.P. R. Worth, Esq., O.B.E., M.B. Mrs. Patrick R. Green, J.P.

Secretary: Mr. J. Verney Quilliam Asst. Secretary: Miss L. R. Gait Offices: 69 Eccleston Square, London, S.W.1

Hon. Auditor: D. Brummer, Esq.
Bankers: Barclay's Bank, Ltd., 78 Victoria Street,
S.W.1

STANDING SUB-COMMITTEE

General Purposes Committee

Mrs. P. R. Green, J.P. (Chairman)

Dr. C. P. Blacker Mr. L. T. Feldon

Miss Evelyn Fox

Wing-Commander James

Dr. R. Langdon-Down

Dr. E. W. Neill Hobhouse

Mrs. Rosamond Hussey

Drafting Committee

Dr. A. F. Tredgold (Chairman)

Dr. C. P. Blacker

Miss Evelyn Fox

Wing-Commander James

Dr. R. Langdon-Down

Mr. W. L. Platts

Mr. L. T. Feldon

LIST OF AUTHORITIES, ASSOCIATIONS,

ETC. which by March 1937 had passed resolutions in favour of giving legal effect to the recommendations of the Brock Departmental Report:

The County Councils' Association

The Association of Municipal Corporations

The Royal College of Physicians

The Royal College of Surgeons

The Royal Medico-Psychological Association

The Association of County Medical Officers of Health

The Society of Medical Officers of Health

The Standing Committee on Psychological Medicine of the Medical Women's Federation

The Central Association for Mental Welfare

The Mental Hospitals' Association

The National Council for Mental Hygiene

The National Association for the Feeble-Minded

The Eugenics Society

The Mental Hospitals Matrons' Association

The Women Public Health Officers' Association

The National Council of Women

The National Council for Equal Citizenship

The National Women Citizens' Associations The Conservative Women's Reform Association

The Women's Co-operative Guild

The National Conference of Labour Women

The Magistrates' Association

The Baptist Union of Great Britain and Northern

The Church of England Advisory Board for Moral Welfare Work

British Social Hygiene Council, Incorporated

Church of England Temperance Society National Association of Women Pharmacists Federation of Working Girls' Clubs

Organizations connected with the Welfare of the Blind

The Prevention of Blindness Committee

The National Association of Blind Workers

The Association of Workshops for the Blind

The Rossendale Society for Visiting and Instructing the Blind

North Counties Association for the Blind

The Keighley & District Institution for the Blind

The Rochdale & District Society for Visiting and Instructing the Blind

The Royal Leicester, Leicestershire & Rutland Institution for the Blind

Gloucester (City) Blind Association

Liverpool Workshops & Home Teaching Society for the Out-Door Blind

Lindsey Blind Society

Croydon Voluntary Association for the Blind The Warrington, Widnes & District Society for

the Blind

Barrow, Furness & Westmorland Society for the Blind

Hull & East Riding Institute for the Blind Kent County Association for the Blind Gloucestershire County Association for the Blind County Borough of Darlington—Committee for Promoting the Welfare of Afflicted Persons Bournemouth Blind Aid Society Coventry Society for the Blind East Suffolk County Association for the Blind Cambridgeshire Society for the Blind Burnley & District Society for the Blind The Birmingham Royal Institution for the Blind Wakefield District Institution for the Blind Hampshire Association for the Care of the Blind County Borough of Bury Blind Persons Committee

Institution for the Blind of Dewsbury, Batley & District

North Western Counties Association for the Blind Warwickshire Association for the Blind (through Warwickshire County Council)

Eastern Counties Association for the Blind

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Summary of other Organizations

College of Nursing (Branches)	&	
Nursing Associations		37
Insurance Committees		20
Mental Welfare Associations		19
City & County Councils		11
Women's Co-operative Guilds		80
Various organizations, represent	ng	
Politics, Health, Teachers, Une	m-	
ployed Associations, Friend	lly	
Societies, Women's Citizens Ass	so-	
ciations and Women's Labour (
ganizations	••	10 8
Total Organizations		335

March 10th, 1937

Two points are noteworthy about this tripartite list in which, it will be noticed, the British Medical Association does not appear. The first point is the number of women's organizations. Of the twenty-eight bodies named in the first Group (among them the Mental Hospitals Matrons' Association), nine are composed solely of women; and in the third group of 335 organizations, over half were likewise composed, eighty being women's co-operative guilds. The second noteworthy point is the particular interest shown by organizations connected with the blind. Thirty-two such associations are named in the second group as having passed supporting resolutions.

The Churches and Sterilization

An initiative was taken with the Churches. Mrs. Cora Hodson and Mrs. Rosamund Hussey, both active members of our Society, undertook, in December 1934, to establish liaison between the Joint Committee and various religious bodies. No less than twenty-eight bishops were interviewed of whom eighteen were reported as favourably disposed, five as non-committal and five as definitely hostile. The Roman Catholic Church was actively opposed; and an organization, the League of National Life, supported by many Catholics, initiated counter-propaganda. I recall that at this time I engaged in several debates against Dr. Laetitia Fairfield, a most able but invariably courteous controversialist. An idea of the interest taken by the Churches may be obtained from the following exchange of letters, which may have historical interest, published by The Times on June 17th and 21st 1935:

SIR,—The Report of the Departmental Committee on Voluntary Sterilization became known to the public in January of last year. Considerable study has now been given to its contents by most of the organizations interested in the nation's health. A group of associations, representing local authorities and medical and other societies concerned with the mentally afflicted and child welfare, have combined to prepare a Measure to give effect to the recommendations of the Report and have urged upon the Minister of Health its speedy enactment.

With the scientific and sociological aspects of such a measure we are not in this letter concerned. Important moral and religious issues are, however, involved. Concerning these there is difference of opinion among the adherents of the various Christian communities.

The Church of England as a body has expressed no authoritative judgement on voluntary sterilization. There is, no doubt, some divergence of opinion on the subject among its Bishops, clergy and laity. The Church of England Advisory Board for Moral Welfare has, however, passed the following resolution:

That in the opinion of this Board there is no moral principle which would compel the Church to oppose legislation on the lines of the Brock Report. That in view of the uncertainty of results that would follow from such legislation the Church should not actively urge the introduction of such legislation. On the other hand, if legislation is passed, the Church should accept responsibility for the social care required.

Of the Free Churches' Assemblies none has as

yet had the question before them. The Council of the Baptist Union, however, have passed unanimously a resolution in favour of the proposed legislation, and those Free Church leaders who have expressed an opinion have without exception declared that they see no religious objection to the recommendations of the Report.

It is generally known that Roman Catholics, though they are not opposed to voluntary sterilization when it is undertaken for the benefit of an individual's own health, nor even in principle to its being inflicted as a penalty, are, since the issue of the Papal Encyclical of 1930, bound to condemn sterilization undertaken with a view to preventing

propagation of unhealthy progeny.

We believe that the safeguarding of liberty of conscience is of as great importance to the nation's welfare as any of the benefits which its supporters expect from the proposed legislation. We would therefore urge that in any Bill which may be presented to Parliament a clause be included securing that in every application to the Minister of Health to permit an operation for sterilization a statement should be included by one of those recommending the operation that the person concerned, or his representative, has been afforded a real opportunity of seeking advice from a recognized minister of the religious body of which he is a member upon the moral and spiritual issues involved.

Yours, etc.
RICHARD SOUTHWARK
MARTIN ROFFEN
ALFRED E. GARVIE
J. SCOTT LIDGETT
A. HERBERT GRAY
F. W. NORWOOD

London, June 14, 1935

To the Editor of *The Times*

Sir.—I have read with interest the letter in The Times of June 17 signed by the Bishop of Southwark and five other eminent divines. The signatories urge that in any Bill which may be presented to Parliament a clause should be inserted to secure that the applicant for sterilization has had an opportunity of seeking advice from a recognized minister of the religious body to which he belongs. May I say that I am confident that the Joint Committee on Voluntary Sterilization of which I am the chairman, recognizing as it does that safeguarding the liberty of conscience is of vital importance to the success of a measure of this kind, will welcome the inclusion of such a clause in the Bill which they hope to present to Parliament in the near future?

Yours faithfully, HORDER

London, June 19, 1935

In March 1935, Mr. Quilliam started a Voluntary Sterilization League; this he believed would

help in his regional work. For sixpence the members received a quarterly bulletin. Cards were also prepared for non-subscribing supporters to sign. After fifteen months some 500 members of the League were enrolled. These and other activities kept the office busy.

The Committee produced an abbreviated edition of the Brock Report consisting of the text of the Report (some sixty pages) minus the appendices (over seventy pages). Lord Horder wrote a short preface wherein he drew attention to a noteworthy feature of the report—the complete unanimity with which the Departmental Committee of nine had reached their conclusions and formulated their recommendations. This abbreviated and attractively produced edition, the production costs of which were met by Lord Riddell, was sold for sixpence. The full report as first printed is now difficult to obtain; but this abbreviated edition is still in stock.

Mrs Hodson and I both wrote books.

Further Pressure for Legislation

It was the Joint Committee's object to have its draft Bill introduced in Parliament; and various approaches were considered. The first initiative was taken immediately after the publication of the Brock Report (in January 1934) but before the Joint Committee had become active. On February 28th 1934, Mr. H. (now Sir Hugh) Molson, then M.P. for Doncaster, moved the following resolution in the House of Commons:

That the House considers that the facts set out in the Report of the Departmental Committee on Sterilization indicate a state of affairs calling for action and respectfully requests His Majesty's Government to give immediate consideration to the unanimous recommendations of the Committee in favour of legislation permitting voluntary sterilization in certain classes of cases.

Mr. Molson made a restrained yet eloquent speech. I heard him make it and derived the impression that it was sympathetically received—more sympathetically than had been Major Church's speech in mid-1931. But in 1934 the position had been much strengthened by the Brock Committee. Mr. Molson was supported by Wing-Commander James who was cut short by limitations of time, so that no vote was taken.

It will be remembered that the Brock Committee had been appointed in June 1932 by the

Minister of Health (Sir Hilton Young, as he then was), in response to a request conveyed to him in February 1932 by the County Councils Association, the Association of Municipal Corporations and the Mental Hospitals Association. These three, having got what they had asked for, resolved that the matter should be followed up. Sir Hilton Young was still Minister of Health, and hopes were entertained by some.

With the assistance of the Joint Committee, the three organizations drew up a brief for presentation to the Minister; and on May 23rd 1935—sixteen months after the publication of the Brock Report—a deputation of fifteen persons was received by him. The deputation consisted of five members of the County Councils Association, three from the Association of Municipal Corporations, three from the Mental Hospitals Association and four (Lord Horder, Miss Evelyn Fox, Mrs. Silcock and myself) from the Joint Committee. The Minister received us most courteously and listened attentively to speeches on behalf of the four organizations by Mr. E. W. Cemlyn-Jones, Alderman Martin, Alderman Locke and Lord Horder. Afterwards the Ministry issued a press notice summarizing the four speeches and the Minister's reply. The Summary was worded as follows:

The Minister of Health thanked the deputation for so clearly expressing the case for voluntary sterilization and said he was bound to attach great weight to the unamity of view expressed on behalf of the bodies represented. The presence of the deputation itself indicated a substantial advance in public opinion and further progress would depend on the public being assured that the conscience of any substantial section of the nation would not be offended. The deputation would realize, however, that in the present congestion of parliamentary business the introduction of legislation would not, in any case, be practicable at present.

Sir Hilton Young, an ex-sailor of distinction who had lost an arm in the battle of Zeebrugge, conveyed to us publicly (further emphasizing the point to one or two of us privately) that three years before he had been happy to appoint the Brock Committee; that he was glad that its report had been unanimous and constructive; and that personally he was in agreement with its recommendations. But he firmly told us that the moment was not propitious for the Government

to take action.

A general election was then not far off (it was actually held in November 1935). Thinking things over afterwards we felt that political considerations might have influenced what the Minister said about the need for assurance that the conscience of any substantial section of the nation must not be offended. It was not the time to incur the risk of losing the votes of religious minorities.

Though there was no gainsaying the logic of what the Minister had said—indeed some of us had accurately forecast what his reply would be—the outcome of this carefully prepared deputation was a disappointment. Nevertheless the Joint Committee decided that it should maintain its activities in the hope that, from some favourable quarter, a wind of change might set in.

Before the election in October 1935, no less than 544 parliamentary candidates were interviewed of whom 259 were returned. Of these 259, 202 had expressed sympathy.

On June 23rd 1936—eight months after the election—an informal conference was convened in a committee room of the House of Commons. In addition to Sir Francis Acland (chairman), Wing-Commander James and two other Members of Parliament, there were present representatives of the County Councils Association. the Association of Municipal Corporations, and the Joint Committee. At this conference it was agreed that Wing-Commander James's all-party Parliamentary Committee of 1932 should be revived. Its task would be now easier. The Joint Committee would seek support from as many members of all parties as possible, and the new Parliamentary Committee would watch for favourable opportunities of further action. The County Councils Association and the Association of Municipal Corporations undertook to approach those Members of Parliament who were also members of their respective associations.

On March 16th 1937, thirty-five Members of Parliament were entertained at a dinner at the House of Commons by Sir Francis Acland, Wing-Commander James and Mr. Ernest Thurtle. Lord Horder, Dr. Tredgold and I addressed the gathering after the meal. A lively discussion ensued in the course of which we were

searchingly questioned. We had the impression that several Members who had previously taken little interest became potential supporters. Wing-Commander James felt that his group had been strengthened.

The Joint Committee and Wing-Commander James's committee had their last Parliamentary innings on April 13th 1937, less than a month after the dinner. Success in a ballot enabled Wing-Commander James to introduce a motion on the civil estimates in supply; and arising from the estimates of the Ministry of Health he made his case. The discussion was by order and custom restricted. The Minister of Health—by this time Sir Hilton Young had been replaced by Sir Kingsley Wood—was no more encouraging than his predecessor. He drew attention to the fact that the British Medical Association had not gone on record as supporting the Departmental Committee's recommendations; but at the same time he urged that education and propaganda should be sustained.

After this second expression of Parliamentary aloofness, it was decided that a private member's Bill, depending on the luck of the ballot, would provide the best opening. The ballot was held in October 1937; but the luck did not come.

During the second half of 1937 Mr. Quilliam continued to tour the country. He also planned to organize four large conferences in Manchester, Newcastle, Birmingham and Leeds. Difficulties arose in the first two places and the conferences did not materialize. In Birmingham, however, a conference was held on November 24th with Bishop Barnes (a big draw) in the chair; and in Leeds a conference was held on November 29th with Professor Maxwell Telling in the chair. I addressed both conferences and, with the assistance of Mr. Quilliam and my chairmen, dealt to the best of my ability with both friendly and hostile questions. Some of the latter had by this time to do with Nazi practices.

Indeed, both inside and outside Parliament, the tide was setting against us. During 1938 the shadow of impending war was darkening the political horizon. Immediate problems clamouring for parliamentary time diverted interest from remoter issues of population and eugenics. And another influence was making itself felt. About the time (early 1934) that the Brock

Report was published, the German National Socialist Government had introduced a sterilization law, which included compulsory clauses. By 1938, rumours and reports were reaching this country of how things were shaping in Germany. In questions and discussions at meetings these developments were increasingly raised. We all heard more of the argument about the thin end of the wedge.

Some impetus was thus lost. What virtually put an end to the Joint Committee's public activities was the discovery that it had been overspending. Early in 1938 a crisis arose. The Eugenics Society, which had contributed the greater part of the Joint Committee's funds, and had placed at the Committee's disposal the second floor of its house, was turning its attention to other things. An increasing fraction of my own time was taken up by the Population Investigation Committee and by other activities outside the *Society*. Our second floor was also needed for another purpose—the accommodation of the Family Planning Association.

At a meeting of the Joint Committee's General Purposes Committee held on February 2nd it was recognized that drastic retrenchment was necessary. Mr. Quilliam and Miss Gait left us. I became the Joint Committee's Honorary Secretary from the period February 2nd to October 1st 1938 when the appointment was renewed for another year—October 2nd 1938 to October 1st 1939. But on September 1st 1939 I was called back into the army and by September 12th I was in France. The Joint Committee broke up.

5. CAUSES OF FAILURE

There were, I think, four. The Joint Committee made a good start in 1934 and 1935. It received its first check in May 1935 when the Minister of Health, Sir Hilton Young, politely but firmly conveyed to a strong deputation that the Government would not take the desired initiative. Secondly, events enacted in Germany, including the compulsory use of sterilization, were poisoning the air and making more difficult a reasoned advocacy of voluntary sterilization. Thirdly, the Joint Committee, which for some twelve months had been getting diminishing returns on its activities (in the way of favouring resolutions and

VOLUNTARY STERILIZATION: THE LAST SIXTY YEARS

promises of support), encountered financial difficulties and was compelled drastically to curtail its activities. Lastly the outbreak of war in